

BEFORE THE HUMAN RIGHTS COMMISSION
OF THE STATE OF MONTANA

FRANK SICA,

Charging Party

-v-

OHMSTEDE INDUSTRIAL SERVICES,

Respondent/Appellee

Case # 0141016796

ORDER
FINAL AGENCY DECISION

On August 26, 2014 the Human Rights Bureau issued a Final Investigative Report and corresponding Notice of Dismissal and Notice of Right to Sue in the above-captioned matter. On February 24, 2015, the Human Rights Commission received Charging Party's objection to the dismissal of her claim. Pursuant to §49-2-511(1), MCA, a party may seek review by the Commission by filing an objection within fourteen (14) days after the issuance of the notice of dismissal. If this deadline is not met, a decision of the department to dismiss a complaint is final.

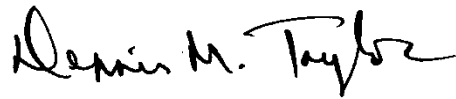
In this case, the notice of dismissal was issued on August 26, 2015, as indicated by its certificate of service. The Charging Party filed an untimely objection because the objection was received on February 25, 2015.

Therefore, IT IS HEREBY ORDERED, that the objection of Charging Party is dismissed.

If a charging party chooses to commence a civil action in district court by filing a complaint in district court, the charging party must do so within 90 days after the date of issuance of the Notice of Dismissal and Notice of Right to Sue. This order does not alter or extend that right. The filing must be in the district where the alleged violation occurred. Section 49-2-511(3)(a), MCA. If a charging party fails to commence a civil action within 90 days, their claims are time barred. *Id.*

Alternatively, a party may ask a district court to review the decision of the Commission to dismiss the complaint. Section 2-4-702, MCA. This review must be requested within 30 days after the date this order is issued.

DATED this 26th day of February, 2015.

A handwritten signature in black ink, reading "Dennis M. Taylor". The signature is fluid and cursive, with the first letters of each word being capitalized and prominent.

Dennis M. Taylor, Chair
Human Rights Commission

CERTIFICATE OF SERVICE

The undersigned secretary for the Human Rights Commission certifies that a true and correct copy of the foregoing ORDER was mailed to the following by U.S. Mail, postage prepaid, on this 26th day of February, 2015.

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